

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
May 5, 2016
Boise, Idaho

President Trudy Fouser called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners Tim Gresback, Michelle Points, Kent Higgins, and Dennis Voorhees, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland and Executive Director Diane Minnich, who acted as secretary.

EXECUTIVE SESSION

Consistent with the authority granted in Idaho Code § 3-408, and under the supervisory power of the Idaho Supreme Court and acting as an agency thereof for purposes of Idaho Code § 74-202(4)(a), it was moved, seconded and passed that the Board move into a confidential session to discuss matters involving admissions and professional discipline as provided under Idaho Bar Commission Rules 223 and 521. It was also moved, seconded and passed, after an aye vote was recorded from each Commissioner, to move into Executive Session pursuant to Idaho Code § 74-206(1)(d) and (f), to: (1) review personal records of attorneys for licensing purposes; (2) consider information obtained as part of an inquiry into an individual's fitness to practice law; and (3) discuss with legal counsel pending and/or potential litigation.

GENERAL BUSINESS

Minutes – It was moved, seconded and passed to approve the minutes of the April 8, 2016 Board of Commissioners meeting as submitted.

BOC Election Update – The Executive Director reported that the new commissioners elected were David Cooper from the Fourth District and Michael Howard from the First District.

2016 Awards – The Commissioners discussed possible recipients for the 2016 Professionalism and Pro Bono Awards. After discussion, the following individuals were selected to receive awards:

Professionalism - First District, Peter Erbland; Second District, Paul Clark; Third District, Julie DeFord; Fourth District, Tim Walton, Neil McFeely; Fifth District, William Goodman; Sixth District, Howard Burnett; Seventh District, Greg Meacham.

Pro Bono – It was moved, seconded and passed to select the following recipients to receive the 2016 Pro Bono Awards: 1st – Pamela B. Massey, Coeur d'Alene; 2nd – James E. Johnson, Moscow and Karin R. Seubert, Lewiston; 3rd – John A. Anderson Jr., Caldwell and Debra L. Eismann, Nampa; 4th – Christ T. Troupis, Eagle, Brooke A. O'Neil, Boise, Nathaniel Peterson, Boise; 5th – Nicole Cannon, Twin Falls; 6th – Douglas K. Merkley, Pocatello; 7th – Michael J. Whyte and Paul T. Curtis, Idaho Falls.

Contested Judicial Election Survey Results – The Commissioners were provided with the results of the attorney survey of candidates for the Idaho Supreme Court and an article about the survey results.

Northwest States Bar Leaders Meeting – President Fouser and Commissioner Points reported on the meeting with bar leaders from Washington, Oregon, Utah, Nevada and Montana that was held at the Law Center on May 3.

Bar Exam in Third Year – The Director of Admissions provided the Commissioners with a memo and information regarding the potential for law students to sit for the bar exam in the third year of law school. After discussion, it was moved, seconded and passed to have the Director of Admissions and Executive Director meet with representatives of Concordia University School of Law and University of Idaho College of Law to discuss the concept and the potential requirements for allowing this option for Idaho law students.

Future of the Profession/Access to Justice – The Commissioners were provided with information about how other states have considered the future of the profession and access to justice issues. The Commissioners discussed whether or not Idaho should consider forming a commission or task force to address these issues. The Commissioners agreed that there were several stakeholders that would need to be involved and that the bar should contact other states to find out how they approach these issues. The Executive Director agreed to contact Justice Linda Trout to determine the Court's interest and Commissioner Voorhees agreed to contact Washington and Utah.

2016 February Bar Exam Results – The Commissioners were provided with the letter to the Court reporting the results of the February 2016 Idaho bar exam.

ADMINISTRATION AND SUPPORT

2015 Audited Financial Report – At 8:45 a.m., the Commissioners were joined by EideBailly auditor Scot Phillips, who presented the report on the 2015 audit of the Idaho State Bar financials. He reviewed the audit report, specific funds and changes in audit standards. The Commissioners requested that a financial training be scheduled for the Board.

Financial Reports – The Commissioners were provided with the April financial reports. At the end of April 86.6% of revenue was collected and 31.25% of expenses incurred.

MEMBER SERVICES

Appellate Practice Section Bylaw Amendment Request – The Commissioners were provided with a request from the Appellate Practice Section to amend its bylaws. It was moved, seconded and passed to approve the Appellate Practice bylaw amendments that are designed to enhance the continuity of leadership and allow for electronic voting in elections.

Member Benefits and Services – The Commissioners were provided with member services and benefit recommendations from Deputy Director Sheikh. The recommendations were to eliminate

Office Max and add LeanLaw and Office Depot through National Purchasing Partners. It was moved, seconded and passed to approve the elimination of Office Max as a member benefit and add LeanLaw and Office Depot through National Purchasing Partners as member benefits.

Succession Planning Guide – The Commissioners were provided with the final version of the Succession Planning Guide, prepared by the Senior Lawyers Task Force. Bar Counsel reported that the guide is ready for distribution.

Lawyers Serve! Campaign Update – President Fouser reported that she had devoted her columns to lawyers serve and has gathered many examples of how lawyers are serving the profession, the public and their communities. She also noted that she and the staff are working on a brochure that highlights lawyers’ contributions and service.

Social Media Presentation – ISB administrative assistant Lindsey Egner, who has created the social media presence for the bar and foundation, provided an overview of current social media efforts.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

Disciplinary/Admissions Information – The Commissioners were provided with Idaho Supreme Court order granting Karl Kime’s petition for reinstatement and the Federal Court and Idaho Supreme Court orders regarding Michael Robinson.

Informational Reports – The Commissioners were provided with the Access to Justice Idaho Campaign update, letters and news clippings for the past month in PDF format.

The meeting adjourned at 12:45 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director